

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 07 JUN 2004

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
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Applicant's or agent's file reference 020106WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US03/01540	International filing date (day/month/year) 16 January 2003 (16.01.2003)	Priority date (day/month/year) 16 January 2002 (16.01.2002)
International Patent Classification (IPC) or national classification and IPC IPC(7): H04Q 7/20 and US Cl.: 455/422.1		
Applicant QUALCOMM INCORPORATED		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the report
 - II ☐ Priority
 - III ☐ Non-establishment of report with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☒ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 15 August 2003 (15.08.2003)	Date of completion of this report 19 April 2004 (19.04.2004)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer  Ovidio Escalante Telephone No. 703-306-0377

Form PCT/IPEA/409 (cover sheet)(July 1998)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US03/01540

I. Basis of the report

1. With regard to the elements of the international application:*

☒ the international application as originally filed.☒ the description:

pages 1-32 _____ as originally filed

pages NONE _____, filed with the demand

pages NONE _____, filed with the letter of _____.

☒ the claims:

pages 33-38 _____ as originally filed

pages NONE _____, as amended (together with any statement) under Article 19

pages NONE _____, filed with the demand

pages NONE _____, filed with the letter of _____.

☒ the drawings:

pages 1-20 _____ as originally filed

pages NONE _____, filed with the demand

pages NONE _____, filed with the letter of _____.

☐ the sequence listing part of the description:

pages NONE _____ as originally filed

pages NONE _____, filed with the demand

pages NONE _____, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in printed form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. ☐ The amendments have resulted in the cancellation of:☐ the description, pages NONE☐ the claims, Nos. NONE☐ the drawings, sheets/fig NONE5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims <u>4,8-13,18,22-25,30,34 and 35</u>	YES
	Claims <u>1-3,5-7,14-17,19-21,26-29,31-33 and 36-38</u>	NO
Inventive Step (IS)	Claims <u>4,8-13,18,22-25,30,34,35</u>	YES
	Claims <u>1-3,5-7,14-17,19-21,26-29,31-33 and 36-38</u>	NO
Industrial Applicability (IA)	Claims <u>1-38</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Please See Continuation Sheet

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VI. Certain documents cited

1. Certain published documents (Rule 70.10)

Application No Patent No.	Publication Date (day/month/year)	Filing Date (day/month/year)	Priority date (valid claim) (day/month/year)
US 2002/0102967 A	01 August 2002 (01.08.2002)	06 December 2000 (06.12.2000)	None

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure

Date of non-written disclosure
(day/month/year)

Date of written disclosure referring to
non-written disclosure
(day/month/year)

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Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

1. Claims 1-3, 5-7, 14-16, 17, 19-21, 26-28, 29, 31-33 and 36-38 lack novelty under PCT Article 33(2) as being anticipated by Sato et al. WO 01/80590 A1.

Regarding claims 1 and 38, Sato teaches in a wireless communication system and apparatus supporting a broadcast service, (abstract; fig. 24), a method and means for:

providing a service ID to identify the broadcast service, (fig. 25; page 38, line 17-page 39, line 2);
sending the service ID to a base station (fig. 25; 110-1; page 38, lines 17-23);
configuring a broadcast service parameters message at the base station that includes the service ID, (page 38, line 17-page 39, line 2; page 40, lines 25-page 41, line 5);
transmitting the broadcast service parameters message to a mobile station (120), (page 32, line 24-page 33, line 1; page 38, line 17-page 39, line 2; page 40, line 25-page 41, line 5); and
using the service ID in the broadcast service parameters message at the mobile station to determine availability of the broadcast service in an adjacent sector, (page 29, lines 7-10; page 40, lines 25-page 41, line 5).

Regarding claim 2, Sato teaches wherein the broadcast service is transmitted by a content server, (page 24, lines 17-24).

Regarding claim 3, Sato teaches wherein the broadcast service has a service name (program title), (fig. 25).

Regarding claims 5, 19 and 31, Sato teaches wherein the service ID is a globally unique service ID issued by a global issuer, (fig. 2; page 4, lines 13-26; servers 251, 252, 253 issue a unique service ID to other servers).

Regarding claims 6, 14, 26 and 36, Sato teaches wherein the service ID comprises a Broadcast/Multicast Service ID (BCMCS_ID), (fig. 25; page 38, line 24-page 39, line 2).

Regarding claims 7, 21 and 33, Sato teaches associating an IP multicast address and UDP port number with the BCMCS_ID, (fig. 25; page 38, line 24-page 39, line 2).

Regarding claim 15, 27 and 37, Sato teaches wherein the BCMCS_ID is a dual BCMCS_ID comprising a global indicator to indicate uniqueness of the BCMCS_ID, (fig. 25; page 38, line 24-page 39, line 2).

Regarding claim 16, Sato teaches a base station (110-1) for use in a wireless communication system supporting a broadcast service, (abstract; fig. 24), wherein the base station is receiving a first broadcast service identified by a first service ID, and wherein the base station has a neighbor base station receiving a second broadcast service identified by a second service ID, (fig. 24; page 40, lines 25-page 41, line 5; page 42, lines 22-page 43, line 1), and wherein the base station is configured to implement a method comprising:

receiving the second service ID that identifies the second broadcast service, (page 40, line 25-page 41, line 5);
configuring neighbor configuration data that relates to the second broadcast service, (page 40, line 25-page 41, line 5; page 42, lines 1-6);
configuring a broadcast service parameters message that includes the second service ID and the neighbor configuration data, (page 42, lines 22-page 43, line 20); and
transmitting the broadcast service parameters message to a mobile station currently receiving the first broadcast service,

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(To be used when the space in any of the preceding boxes is not sufficient)

(page 32, line 24-page 33, line 1; page 40, line 25-page 41, line 5; page 42, line 22-page 43, line 1).

Regarding claims 17 and 29, Sato teaches wherein the first broadcast service and the second broadcast service are transmitted by content servers, (fig. 3; page 3, line 29-page 4, line 8; page 24, lines 17-24).

Regarding claims 20 and 32, Sato teaches wherein the first service ID comprises a first BCMCS_ID and wherein the second service ID comprises a second BCMCS ID, (page 38, line 24-page 39, line 2).

Regarding claim 28, Sato teaches a mobile station (120) for use in a wireless communication system supporting a broadcast service, wherein the mobile station is in a first sector of a first base station approaching a second sector of a second base station, (page 40, line 25-page 41, line 5; page 42, line 22-page 43, line 1) and wherein the mobile station is configured to implement a method comprising:

receiving a first broadcast service identified by a first service ID from the first base station, (page 32, line 24-page 33, line 1; page 38, line 17-page 39, line 2; page 40, line 25-page 41, line 5; page 42, line 22-page 43, line 1);

receiving a broadcast service parameters message that includes a second service ID and neighbor configuration data, wherein the second service ID identifies a second broadcast service available in the second sector, (page 40, line 25-page 41, line 5; page 42, line 22-page 43, line 1);

examining the neighbor configuration data that relates to the second broadcast service, (page 40, line 25-page 41, line 5; page 42, line 22-page 43, line 8); and

determining, based on the neighbor configuration data, whether the first service ID and the second service ID identify the same broadcast content whereby reception of the broadcast content is continued in the second sector, (page 40, line 25-page 41, line 5; page 42, line 22-page 43, line 20).

2. Claims 4, 8, 9, 10-3, 18, 22, 23-25, 30, 34 and 35 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest requesting a service ID by the content to server to a global issuer or local issuer server and dynamically generating a BCMCS_ID and associated a lifetime value with the BCMCS_ID.

3. Claims 1-38 meet the criteria set out in PCT Article 33(4), and thus meets industrial applicability because the subject matter claimed can be made or used in industry.

----- NEW CITATIONS -----
NONE